

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

IN RE: '318 PATENT INFRINGEMENT LITIGATION)
C.A. No. 05-356 (KAJ)
(consolidated)

**DEFENDANT ALPHAPHARM PTY., LTD.'S JOINDER IN BARR'S CLAIM
CONSTRUCTION BRIEF, ARGUMENTS AND SUPPORTING DECLARATION**

Defendant Alphapharm Pty., Ltd., by and through its undersigned counsel, hereby joins Defendants Barr Laboratories Inc. and Barr Pharmaceuticals, Inc. ("Barr") in their Opening Claim Construction Brief (the "Brief") (D.I. 323) and incorporates by reference the arguments made therein and in the Declaration of Brian E. Farnan (the "Declaration") filed in support thereof (D.I. 324). For the legal and factual reasons set forth in the Brief and the Declaration, Alphapharm respectfully requests that the Court enter an order granting the Defendants' proposed claim construction.

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Dated: December 4, 2006

CERTIFICATE OF SERVICE

I hereby certify that on December 4, 2006, I electronically filed the foregoing with the Clerk of Court using CM/ECF which will send notification of such filing to the following and which has also been served as noted:

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I further certify that on December 4, 2006, the foregoing document was sent to the following non-registered participants in the manner indicated::

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